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2/14/05
JL

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

Scott Stern,
400 West Main Street
North Adams, MA. 01247,
and other persons similarly situated
in the Commonwealth of Massachusetts;
and other persons similarly situated
in the United States of America; and
other persons similarly situated not
currently residing within the
Commonwealth of Massachusetts or the
United States of America,

Plaintiff,
vs.

University of Massachusetts at
Amherst
University Health Services
Director of Health Services,
Bernette Melby
150 Infirmary Way
Amherst, Massachusetts. 01003,
Defendant

and,

University of Massachusetts at
Amherst
Brian Burke, Associate Counsel
300 Whitmore Administration Building
Amherst, Massachusetts 01003
Defendant

and,

Massachusetts Board of Trustees,
One Beacon Street
26th Floor
Boston, Massachusetts 02108
Defendant

and,

) Case No.: 04-30176-FDS
)
) MOTION TO ALLOW THE TRANSCRIPTION OF
) SEPTEMBER 17, 2004, a telephone
) hearing, and a hearing on September
) 23, 2004 hearings, between the named
) Defendants and Plaintiff, with Judge
) F. Dennis Saylor IV presiding, at
) Government Expense.
)
)
)

Massachusetts Board of
Higher Education
One Ashburton Place
Room 1401
Boston, Massachusetts 02108-1696
Defendant

and,

Division of Health Care
Finance and Policy
It's EMPLOYEE "MR GETACHEW" and not
the DIVISON IN ITS ENTIRETY.
Two Boylston Street
Boston, Massachusetts 02116-4737

NOW HERE COMES PLAINTIFF AND MOVES this court^{to} humbly request that
the hearings of September 17, 2004 and September 23, 2004 be
transcribed at government expense.

Now here comes plaintiff and wishes to express his deep remorse
and regret for motioning and requesting that the Honorable Judge F.
Dennis Saylor IV, presiding over this case, to recuse himself.

Plaintiff hereby moves the Court for an order setting aside the
Judgment of the Honorable Judge F. Dennis Saylor IV and directing that
the transcript of the aforementioned proceedings before the Honorable
Judge F. Dennis Saylor IV be prepared at government expense pursuant to
28 U.S.C. §753 (f) and the defendants and plaintiffs be granted copies
of the transcripts, in addition to the United States Court of Appeals
in Boston, Massachusetts.

In support of this motion, plaintiff will rely on the
accompanying memorandum of law in support of plaintiff's right to due
process. A memorandum of law regarding the Civil Rights act of 1871
which creates a federal cause of action against state officials who

deprive private citizens of their constitutional rights.

Wherefore, for the attached reasons, inclusive of plaintiff's memorandums of law, the plaintiff prays that this court, the Honorable Judge F. Dennis Saylor will grant this motion to transcribe the proceedings at government expense and grant the plaintiff, and defendants, copies of these transcribed proceedings.

Respectfully submitted this 10th day of February, 2005 by
the plaintiff, Scott Stern, on behalf of himself and the class members.

A handwritten signature in black ink, appearing to read "Scott Stern", written over a horizontal line.

Scott Stern
Pro-Se Plaintiff
400 West Main Street
North Adams, Massachusetts 01247